

Attorney Docket No. 015280-377100US
DHHS Ref. No. E-286-98/4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRENNEMAN *et al.*

Application No.: Unassigned

Filed: Herewith

For: PREVENTION OF FETAL ALCOHOL
SYNDROME AND NEURONAL CELL
DEATH WITH ADNF POLYPEPTIDES

Examiner: Unassigned

Art Unit: Unassigned

APPOINTMENT OF ASSOCIATE
ATTORNEYS AND AGENTS BY
PRINCIPAL ATTORNEY OR AGENT
UNDER 37 CFR §1.34(b) AND
MPEP 402.02

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Under 37 CFR §1.34(b) and MPEP 402.02, the undersigned principal attorney or agent of record hereby appoints the following representatives from the law firm of TOWNSEND and TOWNSEND and CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, California 94111-3834, telephone: (415) 576-0200, as associate attorneys and/or patent agents in this application with full powers to prosecute this case and to transact all business in the Patent and Trademark Office connected therewith:

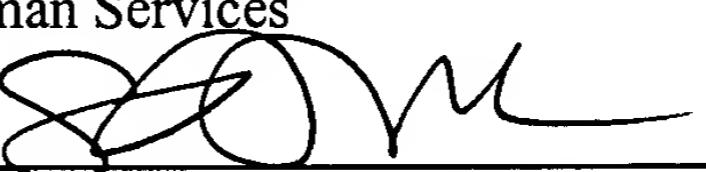
20
 Philip H. Albert, Reg. No. 35,819
 Hector A. Alicea, Reg. No. 40,891
 Scott L. Ausenhus, Reg. No. 42,271
 Kevin L. Bastian, Reg. No. 34,774
 Guy Chambers, Reg. No. 30,617
 M. Henry Heines, Reg. No. 28,219
 Laurence J. Hyman, Reg. No. 35,551
 William Michael Hynes, Reg. No. 24,168
 William B. Kezer, Reg. No. 37,369

Jeffrey J. King, Reg. No. 38,515
 Joe Liebeschuetz, Reg. No. 37,505
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 Steven W. Parmelee, Reg. No. 31,990
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 William M. Smith, Reg. No. 30,223
 Andrew T. Serafini, Reg. No. 41,303
 Joseph R. Snyder, Reg. No. 39,381
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Dated: Sept. 12, 2001

Respectfully submitted,

United States Department of Health and
Human Services

By 
 Susan S. Rucker, Reg. No. 35,762
 Office of Technology Transfer
 National Institutes of Health
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 Rockville, Maryland 20852
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EL 394871695 US

09/93688
JC16 Rec'd PCT/PTO SEP 12 2001

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicants: Douglas E. Brenneman, Catherine Y. Spong, Illana Gozes, Merav Bassan, and Rachel Zamostiano

Application No.: Unassigned Filed: Herewith

For: Prevention of Fetal Alcohol Syndrome and Neuronal Cell Death with ADNF Polypeptides

United States Department of Health and Human Services, a government agency

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. X An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame(s) _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : September 12, 2001

Name : Susan S. Rucker

Title : Patent Advisor

Signature: S. S. Rucker

SF 1252518 v1

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ASSIGNMENT

JOINT

WHEREAS, We, **Douglas E. Brenneman** of 10601 Santa Anita Terrace, Damascus, Maryland, a citizen of the United States; **Catherine Y. Spong** of 3857 North Rixey Street, Arlington, Virginia, a citizen of the United States; **Ilana Gozes** of 14 Hamel Street, Ramat Hasharon, Israel, a citizen of Israel; **Merav Bassan** of 15A Ziporen Street, Givat Poleg, Natania, Israel, a citizen of Israel; and **Rachel Zamostiano** of 17 Yeshuron Street, Hod Hasharon, Israel, a citizen of Israel; all inventors being employees of the Department of Health and Human Services at the time the invention was made, have invented **PREVENTION OF FETAL ALCOHOL SYNDROME AND NEURONAL CELL DEATH WITH ADNF POLYPEPTIDES**, for which an application to the Assistant Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned.

on (date(s) Declaration signed):

is identified as U.S. Patent Application:
Serial No.

Filed ; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the

NOT FOR RECORDATION

Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

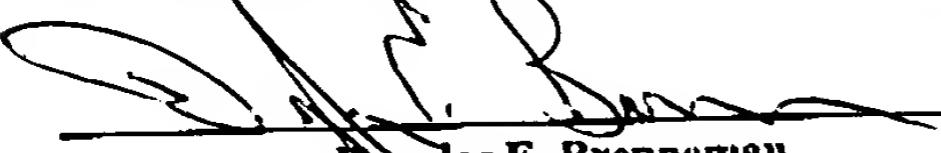
AND, we hereby authorize and request the Assistant Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.


Douglas E. Brennenman

8/24/01

(Date)

STATE OF Maryland)
COUNTY OF Montgomery)

UNITED STATES OF AMERICA

On August 24, 2001, before me, Douglas E. Brennenman, here insert name and title of the officer), personally appeared Douglas E. Brennenman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

(Seal)

Trudy C. Welsh, Notary Public

Brennenman here insert name and title of

the officer), personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

Signature

Trudy C. Welsh

Notary Public

My Commission Expires

May 1, 2003

Catherine Y. Spong9.11.01
(Date)STATE OF Maryland)
COUNTY OF Montgomery)

On September 11, 2001 before me, Judy C. WELSH (here insert name and title of the officer), personally appeared Catherine Y. Spong, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Judy C. WelshJudie Commissioner ExpiresMay 1, 2003

(Seal)